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“Incinerator” Bill Stalls in Committee After Heated Vote and Dispute Over Amendments

The proposal to allow air curtain incinerators to burn green waste failed to advance after lawmakers split over environmental concerns, last-minute amendments, and accusations of inconsistent treatment during a tense committee meeting.

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A vote on the so-called “incinerator” bill set off sharp exchanges Thursday in the Committee on Rules and Judiciary, ending with the measure stalled in committee after lawmakers split over both the substance of the proposal and the handling of last-minute amendments.

Bill No. 36-0232, sponsored by Senator Clifford Joseph, seeks to authorize the use of air curtain incinerators to burn green waste. Supporters have argued that the measure could help reduce

mounting waste in overburdened landfills, while opponents and critics have raised concerns about possible environmental consequences for nearby communities.

Senator Ray Fonseca, who has advocated for stronger environmental protections and pointed to opposition from members of the St. Thomas community, said he had previously promised amendments to add more safeguards to the bill. Those amendments, he said, had not been ready at the time of an earlier committee meeting. On Thursday, Senator Fonseca explained that his amendment was not completed until that same day and asked that the bill be tabled so it could be “properly vetted.” Speaking on a point of personal privilege, he was eventually interrupted by Senator Kenneth Gittens, who objected to the request.

Senator Avery Lewis later moved to advance the bill, but only Senators Gittens, Lewis, and Clifford Joseph voted in favor. Senator Alma Francis Heyliger abstained. Senators Carla Joseph, Angel Bolques, and Milton Potter voted no. Without enough votes to move forward, the bill remained in the Committee on Rules and Judiciary.

The disagreement did not end with the vote. Senator Lewis later remarked that “some people need to really, really, really start doing their homework, and coming prepared.” He also complained that individuals were “popping up here with papers...and wanting us to acquiesce to certain things,” comments that were understood as a response to Senator Fonseca’s request for more time on his amendment.

Senator Clifford Joseph, the bill’s sponsor, also objected to how the day unfolded. He said, “months ago, I had a bill. I brought an amendment. You brought legal counsel out on the floor to tell me I didn't have 48 hours to bring my amendment.” He complained that, despite that earlier episode, another member had been allowed to proceed on what he viewed as a similar basis.

“If you want to lead and look right leading, you have to be consistent,” Senator Joseph told committee chair Senator Carla Joseph. He went on to suggest that the inconsistency he perceived may have reflected the St. Thomas-St. Croix divide that some senators have referenced in the past. “I don't want to go there, but that's the action that you show today,” he told the chair.

Senator Alma Francis Heyliger pushed back against that line of argument. “We are one Virgin Islands,” she said. “We should never create a scenario like we're pitting against each other because of the districts we live in...There are days you can gonna get what you want and some days you're not.” Senator Angel Bolques echoed those sentiments and, like Senator Francis Heyliger, said he was waiting to review the proposed amendments before making a final decision on the bill.

While the incinerator measure drew the most tension, several other bills moved through the committee Friday with far less controversy. Among them were:

- Bill No. 36-0009 - A Resolution honoring and commending Mr. Steven van Beverhoudt for his years of dedicated service and numerous contributions to the people of the Virgin Islands.
- Bill No. 36-0207 - An act amending title 3 Virgin Islands Code, chapter 25, subchapter VI, by adding section 590d and title 24 Virgin Islands Code, chapter 1, by adding section 24 requiring employers to grant parents or legal guardians of a child with a diagnosed

disability, two hours per month of paid leave to attend the child's medical appointments.

- Bill No. 36-0236 - An act amending title 33 Virgin Islands Code, subtitle 3, chapter 111, section 3061 by increasing the amount of money that is to remain in the Virgin Islands Insurance Guaranty Fund before any interest can be deposited into the General Fund.
- Bill No. 36-0258 - An act reprogramming administrative fees resulting from the bonds issued for the Fortress Investment Group transfer for various projects and initiatives to enhance the economic development of St. Croix and to be deposited into the Budget Stabilization Fund.
- Bill No. 36-0149 - A resolution honoring and commending Janeisha John for her outstanding achievements, pioneering spirit, and significant contributions to the fields of entertainment, modeling, and television production, celebrating her role as a cultural ambassador, trailblazer, and inspirational leader of the Virgin Islands.
- Bill No. 36- 0238 - An act amending title 29, Virgin Islands Code, chapter 23 to redirect hotel development net bond proceeds to the Government Employees' Retirement System of the Virgin Islands.
- Bill No 36-0257 - An act transferring Parcel No. 2C Estate Ross, 8 New Quarter, St. Thomas, from the Virgin Islands Housing Finance Authority to the Virgin Islands Department of Education for use by the Charlotte Amalie High School.
- Bill No. 36-0275 - An act approving the amended lease agreement between the Government of the Virgin Islands, acting through the Commissioner of the Department of Property and Procurement, and Hearts In Service Association, Inc., for the leasing of Parcel No. 175C Estate Anna's Retreat No. 1 New Quarter, St. Thomas for the purpose of providing eligible programs and services to homeless families, individuals, veterans, and at-risk youth and the operation of a soup kitchen and other related purposes.